



David E. Pierce, PhD.
Director

Commonwealth of Massachusetts

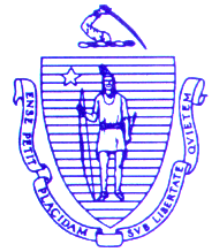
Division of Marine Fisheries

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Commissioner

Mary-Lee King
Deputy Commissioner

March 24, 2017

Statement of Permit Conditions

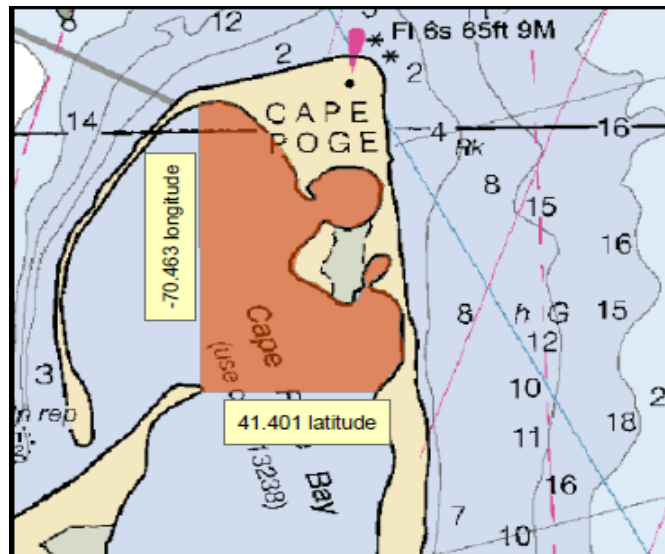
Temporary Closure to Conch and Fish Pots within Northeast Cape Poge

The Division of Marine Fisheries (DMF) has been made aware that the US Army Corps of Engineers will continue their work to clear Cape Poge Bay of submerged live munitions. These live munitions date back to the World War II era when the area was used as a bomb target site. The live munitions tend to be submerged under the sand bottom, requiring the use of underwater sensors to identify individual munitions for a dive team to retrieve.

The presence of fixed fishing gear in this area interferes with the munitions removal project. The underwater sensor being used by the US Army Corps of Engineers is highly sensitive and when it encounters pot fishing gear and affixed coils of endline, the sensor malfunctions. In 2016, the presence of fixed gear resulted in a loss of work for a minimum of two weeks.

To assist the efforts of the US Army Corps of Engineers in removing live munitions from Cape Poge Bay, the Division of Marine Fisheries is enacting a temporary closure of all fish and conch pot gear in a discrete area of northeast Cape Poge Bay. Pursuant to the authority at, G.L. c. 130 §§ 2 and 80 and 322 CMR 7.01(7), all commercial fishermen permits with regulated fishery permit endorsements for conch pots and fish pots are hereby conditioned:

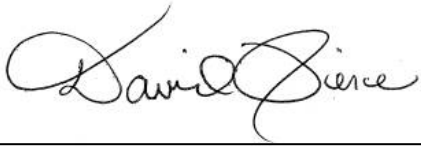
- **Effective April 15, 2017 and until further notice it shall be unlawful to set, fish or abandon any fixed fishing gear within the waters of Cape Poge Bay east of -70.463° W and north of 41.410° N.**



Any violation of the permit condition above is subject to the fines and penalties set forth at G.L. c. 130 §§ 2 and 80, G.L. c. 21A § 10H and 322 CMR 7.01(9), including but not limited to

an administrative hearing to suspend or revoke your commercial fisherman permit. Any fixed fishing gear found in this area during this temporary closure period will be subject to seizure.

Thank you for your cooperation in this matter,

A handwritten signature in cursive script that reads "David E. Pierce".

David E. Pierce, PhD
Director

March 24, 2017

Effective Date